

EXHIBIT A

Charles R. Cashmore
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Attorneys for Plaintiff

**MONTANA THIRTEENTH JUDICIAL DISTRICT COURT
YELLOWSTONE COUNTY**

ERIN HARMS,

Plaintiff,

v.

VITALANT,

Defendant.

CAUSE No.: **DV 19-1213**

JUDGE: **GREGORY R. TODD**

SUMMONS

TO: Vitalant

A lawsuit has been filed against you.

Within 21 days after service of this summons on you, you must serve on the Plaintiff an answer to the attached Complaint or a motion under Rule 12 of the Montana Rules of Civil Procedure. Do not include the day you were served in your calculation of time. The answer or motion must be served on the Plaintiff or Plaintiff's attorneys, if Plaintiff is represented by attorneys, whose names and addresses are listed above.

1 If you fail to respond, judgment by default will be entered against you for
2 the relief demanded in the Complaint.

3 You also must file your answer or motion with the court.

4
5 TERRY HALPIN
6 CLERK OF DISTRICT COURT

7 Date: 9-5-19

8 By: Ronda M Duncan



CLERK OF THE
DISTRICT COURT
TERMINAL IN

2019 SEP 5 PM 3 54

FILED

BY

DEPUTY

2019 SEP 5 PM 3 54

CLERK OF THE
DISTRICT COURT
TERRY HALPIN

2019 SEP 5 PM 3 50

BY

DEPUTY

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CAUSE NO.: **DV. 19-1213**

JUDGE: **GREGORY R. TODD**

**COMPLAINT FOR
WRONGFUL DISCHARGE FROM
EMPLOYMENT
AND
JURY DEMAND**

Plaintiff alleges:

1. Plaintiff is a resident of Billings, Yellowstone County, Montana.
2. Defendant Vitalant is a corporation doing business in Montana and until April 8, 2019, employed Plaintiff in Billings, Yellowstone County, Montana.
3. On or about April 8, 2019, Defendant discharged Plaintiff from her employment with Defendant.
4. Defendant's discharge of Plaintiff from her employment was wrongful under §39-2-904(b) of Montana's Wrongful Discharge From Employment Act in that the discharge was not for good cause and Plaintiff had completed any probationary period of employment. On information and belief, the reason claimed by Defendant for Plaintiff's discharge was not

1 the true reason but rather was a pretext designed to deprive Plaintiff of any severance pay or
2 benefits and to allow Defendant to eliminate the job position Plaintiff held without paying her
3 any severance or otherwise incurring any severance pay or benefit obligation to her.

4 5. On information and belief, Defendant's discharge of Plaintiff from her
5 employment was wrongful under §39-2-904(c) of Montana's Wrongful Discharge From
6 Employment Act in that Defendant violated the express provisions of its own written personnel
7 policy.

8 6. As a result of the wrongful discharge of Plaintiff by Defendant, Plaintiff is
9 entitled to lost wages and fringe benefits, together with interest thereon, for a period not to
10 exceed four years from the date of discharge less any interim earnings, all as provided for by
11 §39-2-905, MCA.


12 WHEREFORE, Plaintiff demands judgment in her favor and against Defendant as
13 follows:

14 1. For lost wages, fringe benefits, and interest thereon in such amounts as may be
15 shown at trial;

16 2. For costs and such other and further relief as the Court deems proper.


17 PLAINTIFF DEMANDS TRIAL BY JURY.

18 Dated this th6 day of August, 2019.

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20 
21 Charles R. Cashmore
22 Attorney for Plaintiff
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Erin Harms, after first being duly sworn upon her oath, deposes and says:

Erin Harms
Erin Harms



CHARLES R CASHMORE
 NOTARY PUBLIC for the
 State of Montana
 Residing at Billings, Montana
 My Commission Expires
 July 23, 2022

Print Name: CHARLES R. CASHMORE